

REMARKS

This Response is submitted in reply to the Office Action dated March 19, 2008. Claims 1, 3, 7 to 10, 12, 13, 15, 19 to 31, 33, 34, 38 to 44, 46, 47, 51, 52 55, and 56 have been amended. New claims 57 and 58 have been added. No new matter has been added by these new claims or amendments. A Request for Continued Examination is submitted herewith. Please charge deposit account 02-1818 for any fees due in connection with this Response or the Request for Continued Examination.

The Office Action rejected claims 1 to 34, 37 to 47, 50 to 52, 55, and 56 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,190,255 to Thomas et al. ("Thomas"). Applicant respectfully disagrees with an traverses this rejection for at least the reasons set forth below.

Thomas discloses a gaming machine operable in a basic mode and a bonus mode for controlling game play (column 2, lines 8-10). The gaming machine selects a game outcome from a number of possible game outcomes, identifiable according to a pay table as winning combinations (column 2, lines 21 to 25). In basic mode, the gaming machine enables a player to active a number of pay lines according to a number of coins or credits played (column 3, lines 50-54). Winning "basic" game outcomes are identifiable by a payable (see FIG. 3, reproduced below) affixed to the slot machine (column 4, lines 13 to 16).

Fig. 3

	PAY LINE 1	PAY LINE 2	PAY LINE 3	PAY LINE 4	PAY LINE 5
	100	200	300	400	1000
	80	80	80	80	80
	40	40	40	40	40
	30	30	30	30	30
	20	20	20	20	20
	20	20	20	20	20
	15	15	15	15	15
	10	10	10	10	10
	5	5	5	5	5
	5	5	5	5	5
	2	2	2	2	2
	2	2	2	2	2

According to FIG. 3, a plurality of winning combinations of symbols result in a predetermined award provided to a player regardless of the payline on which the winning combination of symbols is generated (i.e., a combination of three Cherry symbols results in an award of 20 for each of pay lines 1 to 5). Further according to FIG. 3, if a winning combination of three Jackpot symbols is generated, an award of 100 credits is provided if the combination is on pay line 1, an award of 200 credits is provided if the combination is on pay line 2, an award of 300 credits is provided if the combination is on pay line 3, an award of 400 credits is provided if the combination is on pay line 4, and an award of 1000 credits is provided if the combination is on pay line 5.

Amended independent claim 1 includes, among other elements, a plurality of different predetermined modifiers, each of said different predetermined modifiers being associated with a different one of said paylines, a plurality of different winning symbol combinations adapted to occur on said paylines, and at least one processor programmed for each play of the game to enable a player to wager on a quantity of the paylines, determine whether any of the plurality of different winning symbol combinations occur on any of the wagered-on paylines, and provide at least one outcome adapted to be provided to the player when at least one of the winning symbol combinations occurs on any of the wagered-on paylines, wherein, for each of any winning symbol combinations which occurs, the at least one outcome is based on an award associated with said winning symbol combination and is also based on the predetermined modifier associated with the wagered-on payline on which said winning symbol combination occurs, the predetermined modifier being independent of said winning symbol combination.

Applicant respectfully submits that *Thomas* does not disclose an outcome adapted to be provided to a player when any of a plurality of winning symbol combinations occurs on any of the wagered-on paylines, the outcome being based, in part, on the different predetermined modifier associated with the payline on which the winning symbol combination occurs, wherein the predetermined modifier is independent of the winning symbol combination.

Applicant submits that *Thomas* can be interpreted in one of two ways with respect to a payline-based modifier. Under a first interpretation of *Thomas*, a modifier in the form of a multiplier of 1, 2, 3, 4, or 10 is applied to modify an award of 100 provided for a winning combination of three Jackpot symbols for the first, second, third, fourth, and fifth paylines, respectively. For any other winning symbol combination, a modifier in the form of a multiplier of 1 is applied to an award for the winning symbol combination, regardless of the payline on which the winning symbol combination occurs. Under this interpretation, Applicant submits that *Thomas* does not disclose a different predetermined modifier associated with each of the paylines, nor does *Thomas* disclose the predetermined modifier being independent of the winning symbol combination, as in amended claim 1. First, in the instance where a winning combination other than a combination of three Jackpot symbols is generated, the modifier is the same for each of the five paylines of *Thomas*. Second, in the instance where a winning combination of three Jackpot symbols is generated, the modifier is not predetermined because the modifier is dependent upon which winning symbol combination is generated. Moreover, the fact that the modifiers of 1, 2, 3, 4, or 10 are only applied to a winning symbol combination of three Jackpot symbols indicates that the predetermined modifier is not independent of the winning symbol combination, as in amended claim 1. That is, if a winning combination of three Jackpot symbols is generated for the third payline, a multiplier of 3 is applied to an award of 100; if a winning combination of three Cherry symbols is generated for the third payline, a multiplier of 1 is applied to an award of 20.

Under a second interpretation of *Thomas*, the modifiers are predetermined (i.e., any modifier applied for a winning combination of symbols on the fourth payline is always 4), but the predetermined modifier is only applied when certain winning symbol combinations are generated (i.e., the combination of three Jackpot symbols). Applicant submits that this selective application of a predetermined modifier depending on the winning symbol combination generated does not disclose an outcome provided for each of any winning symbol combination, the outcome based in part, on the predetermined modifier associated with the payline on which the winning symbol combination occurs, as in amended claim 1.

Applicant submits that regardless of the interpretation of *Thomas* used, *Thomas* does not anticipate amended independent claim 1. As such, claim 1 is in condition for allowance.

Claims 2 to 12 depend directly or indirectly from independent claim 1, and are also allowable for the reasons given above with respect to claim 1, and because of the additional features recited in these claims.

Amended independent claims 13, 25, 38, 51, 52, 55, and 56 each include certain similar elements to independent claim 1. For reasons similar to those discussed above with respect to independent claim 1, independent claims 13, 25, 38, 51, 52, 55, and 56 (and dependent claims 2 to 12, 14 to 24, 26 to 34, 37, 39 to 47, 50, 57, and 58) are each patentably distinguished over *Thomas* and are in condition for allowance.


The Office Action rejected claims 35, 36, 48, 49, 53, and 54 under 35 U.S.C. §103(a) as being unpatentable over *Thomas*. Applicant respectfully disagrees with and traverses this rejection for at least the reasons set forth below.

Regardless of whether one of skill in the art would be motivated to operate the gaming device of *Thomas* through an internet network, as stated by the Office Action, Applicant submits that *Thomas* does not disclose or render obvious amended independent claims 25, 38, or 52, from which dependent claims 35, 36, 48, 49, 53, and 54 depend, for at least the reasons given above. Applicant therefore respectfully submits that claims 35, 36, 48, 49, 53, and 54 are patentably distinguished over *Thomas* and are in condition for allowance.

An earnest endeavor has been made to place this application in condition for formal allowance, and such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicant respectfully requests that the Examiner contact the undersigned.

Respectfully submitted,

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